

## **REMARKS**

The present amendment is submitted in response to the Office Action mailed September 30, 2010 in the above-identified application.

The Claims have been amended in a manner which distinguishes the present invention patentably over the prior art cited and applied in the Office Action.

The claims as amended herein are more specifically directed to the releasable dispensing line 13 shown in Fig. 3 of the subject application, which is intended to be used for dispensing carbonated beverages, in particular beer, using a dispenser which is closed by a lid 5 having an accommodating slot 51, 52, 53 for receiving the dispensing line 13, as shown in Fig. 5.

For dispensing beer from a container 3 (i.e., see Fig. 1, for example), the consumer places the container into the cooling chamber 7 of the drink dispenser. Then the consumer places the dispensing line into the slot 51-13 and closes the lid 5, such that the line 13 by closing of the lid, opens valve 10 of the container, and beer can flow through the line 13 by operating the dispensing handle 23,25. In this way, the user can easily place a container of beer into an operating position in which the beer in the container is in a chilled stand-by position, ready to use. The releasable beer line 13 prevents beer from coming into contact with any parts of the dispenser device, such that no contamination of the dispenser device occurs. This results in a clean and microbiologically favorable environment in which beer can be kept at high quality of taste for a long period of time, such as several weeks.

Furthermore, the dispensing line 13 can upon replacement of a used container 3 by a fresh container be taken apart and hinged open, and thoroughly cleaned, again preventing any contamination and warranting a long tenability of beer once the line 13 has been connected to a fresh beer container.

When the easy cleaning dispensing line of the invention is connected to the dispensing device via the slot 51-53, a reliable liquid-tight closing of the pressurized carbonated drink is achieved even by a consumer who has no experience as a bartender. Furthermore, the container 3 and dispensing line 13 can be easily connected to place the contents of the container in fluid connection with the tap head 14. These features now have been clarified in the claims as amended herein.

### **REJECTIONS UNDER 35 U.S.C. §103(a)**

In the Office Action, Claims 1-3, 5-6, 8, 10-11, 14-17 and 19 were rejected under 35 U.S.C. §103(a) over US Patent No. 5,129,552 to Painchaud, et al. in view of US Patent No. 4,204,613 to Terzian, et al.

In US Patent No. 5,129,552 to Painchaud, et al., a fixed coiled tubing 64 interconnects a beer keg 12 and a dispensing unit 76. The coiled tubing 64 remains in place upon exchanging an empty beer keg 12 with a new one and is not releasable from the dispensing unit 76 in order to be disassembled, hinged open and cleaned with each change of beer keg. The coiled tubing 64 will become soiled with beer and will need to be cleaned on a regular basis in order to prevent contamination causing the beer to go stale upon contact. For cleaning of the coiled tubing 64, traditional rinsing with a detergent substance will be required while the coiled tubing 64 stays in place on the dispenser device, which requires professional bartending skills and is unsuitable to be carried out by an average consumer.

Even if Painchaud, et al. '552, were to be combined with US Patent No. 4,204,613 to Terzian, et al., the easily connectable and cleanable dispensing line which is according to the present invention, suitable for carbonated beverages by being clampingly engaged and sealed by

the slot 51-53 in the lid 5 to be properly sealed against the pressure of such a carbonated beverage, is not suggested. The flat heat exchange unit 90 in the cooled beverage dispenser according to Terzian, et al. '613 is engaged via a resilient, deformable lower part 96 which engages with a rigid upper element or top 98. This would for carbonated beverages, such as beer, provide an unreliable closure, resulting in leakage and foam formation. By contrast, in the present invention, the slot 51-53 in the lid 5 forms a locking device, exerting a clamping pressure on the hinging halves of the dispensing line for increased fluid-tight closing.

Also, disassembling and reassembling of the separate parts 96,98 in Terzian, et al. '613, is relatively complex compared to the simple hinging interconnection of the dispensing line parts 30, 31 (see Figs. 2a, 2b, for example) of the present invention and will require dexterity during, disassembling, cleaning and reassembling.

Finally, by installing the dispensing line according to the invention, and closing the lid 5, the consumer automatically opens the beer container 3 by the dispensing line 13 engaging with the shut-off valve 10 of the container 3. In this way a sealed and pressurized container 3 can be placed in the cooling chamber by the consumer in an easy manner and the contents of the container are placed into fluid connection with the tap head 14 by simply closing the lid 5. This in no way becomes evident from the Terzian, et al. '613 patent.

### **CLAIMS 7 AND 18**

In the Office Action, Claims 7 and 18 were rejected under 35 U.S.C. §103(a) over Painchaud, et al., '552, in view of Terzian, et al. '613, as applied in Claims 1 and 2 respectively, and further in view of US published patent application No. 2004/002696700 of Van Der Klaauw, et al.

The remarks presented hereinabove with respect to Painchaud, et al. '522 and Terzian, et al. '613, are repeated herein with respect to the rejection of Claims 7 and 18. US published application No. 2004/002696700 of Van Der Klaauw, et al. relates to a drink dispenser assembly and container for drink and drink dispensing line. It is respectfully submitted that the Van Der Klaauw, et al. '967 publication does not supply the deficiencies of the Painchaud, et al. '552 and Terzian, et al. '613 patents. Allowance of Claims 7 and 18 as amended herein is respectfully requested.

#### **CLAIM 9**

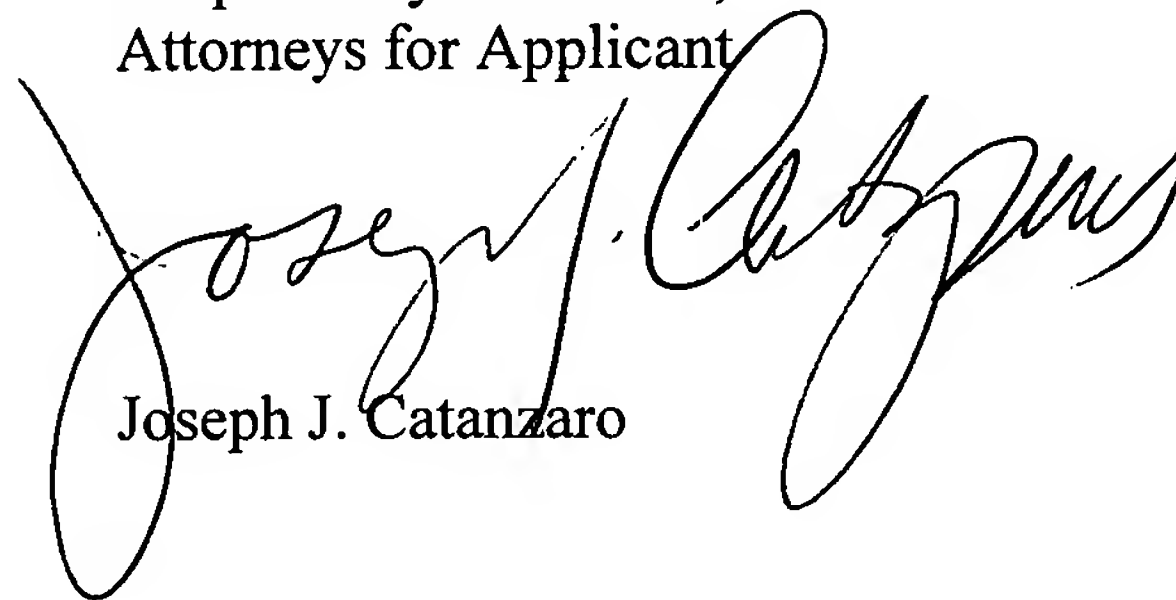
In the Office Action, Claim 9 was rejected under 35 U.S.C. §103(a) over Painchaud, et al. '552 in view of Terzian, et al. '613, as applied in Claim 18, and further in view of US Patent No. 735,295 to Price. The Price '295 patent relates to a water cooler, and does not disclose or suggest the deficiencies of the Painchaud, et al. '552 or the Terzian, et al. '613 patents, considered individually or in combination, in whole or in part. Allowance of Claim 9 as amended herein is respectfully requested.

Allowance of Claims 1-20 as amended herein is respectfully requested.

**EXTENSION OF TIME**

There is submitted herewith a Petition to extend the date for responding to the Office Action for three (3) months from December 30, 2010, to and including March 30, 2011, together with the requisite Petition fee, estimated to be \$1,110. Please charge any additional fee(s) and credit any overpayments to Deposit Account No. 01-0035.

Respectfully submitted,  
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